

A. G. FILE NO.

8-35-96



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable Charles R. Martin
County Auditor
Harrison County
Marshall, Texas

Dear Sir:

Opinion No. 0-3596
Re: Under Section 57, House
Bill No. 205, Acts of the
47th Legislature, who is
the "designated agent" to
whom each applicant for
certificate of title shall
pay fifty cents?

Your letter of May 28, 1941, requesting an
opinion of this Department on the above stated question,
has been received.

We quote from your letter as follows:

"Under House Bill No. 205, Certificate of Title,
Motor Vehicles, Section 57, it provides 'each applicant
for a certificate of title or reissuance thereof shall
pay to the designated agent the sum of Fifty (\$.50)
Cents, of which Twenty-Five (\$.25) Cents shall be
retained by the designated agent from which he shall
be entitled to sufficient money to pay expenses
necessary to efficiently perform the duties set forth
herein, and the remaining Twenty-Five (\$.25) Cents
shall be forwarded to the Department for deposit to
the State Highway Fund, together with the application
for certificate of title within twenty-four (24) hours
after same has been received by said designated agent,
from which fees the Department shall be entitled to
and shall use sufficient money to pay all expenses
necessary to efficiently administer and perform the
duties set forth herein, and there is hereby appro-
priated to the Department all of such fees for
salaries, traveling expense, stationery, postage,
contingent expense and all other expenses necessary
to administer this Act through the biennium ending
August 31, 1943."

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"QUESTION: Under this section, of H. B. No. 205, who is the designated agent?"

House Bill No. 205, Acts of the 47th Legislature, is an act amending certain sections of House Bill No. 407, Chapter 4, Acts of the 46th Legislature, Regular Session, 1939. House Bill No. 407, Acts of the 46th Legislature, is Article 1436-1, Vernon's Annotated Penal Code. Section 6 of House Bill No. 205, Acts of the 47th Legislature, amends Section 57 of House Bill No. 407, Acts of the 46th Legislature, which reads as quoted above in your letter. It will be noted that Section 26 of Article 1436-1, Vernon's Annotated Penal Code (H. B. No. 407, Acts of the 46th Legislature) provides:

"The term 'designated agents' means each county tax collector in the State who may perform his duties under this act through any regular deputy."

Section 26 of Article 1436-1, Vernon's Annotated Penal Code, makes the county tax collector the 'designated agent' under the act. Therefore, you are respectfully advised that the county tax collector is the designated agent to whom the above mentioned fee is to be paid.

Trusting that the foregoing fully answers your inquiry, we are

Yours very truly

ATTORNEY GENERAL OF TEXAS

APPROVED MAY 31, 1941
Robert H. Little

By

Ardell Williams

FIRST ASSISTANT
ATTORNEY GENERAL

Ardell Williams
Assistant

AW:AMM

